

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

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ZHANNA CHIZHIK,  
Administratrix of the Estate  
of Grigory Chizhik,  
Plaintiff

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v.

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SEA HUNT, INC., TROPICLAND  
MARINE AND TACKLE, INC., and  
GREGORY ZILBERMAN,  
Defendants

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C.A. NO.: 04-10106-JLT

**PLAINTIFF ZHANNA CHIZHIK'S ASSENTED TO MOTION TO  
EXTEND DEADLINE FOR DISCOVERY AND FILING MOTIONS**

Plaintiff Zhanna Chizhik hereby respectfully moves this Court to extend the deadline for the parties to conduct all factual depositions (non-expert witnesses) for an additional forty-five (45) days or until June 2, 2005. As grounds for this motion, the Plaintiff states the deadline for all factual depositions (non-expert) is April 19, 2005. However, Zhanna Chizhik is presently outside the jurisdiction of the state. Furthermore, Plaintiff's counsel is scheduled for in-patient surgery on April 12, 2005, and counsel cannot readily determine his recovery time. Lastly, Defendant Sea Hunt's counsel is out of the state on business from April 17-22, 2005, and has trials commencing on April 29, 2005 and May 2, 2005 respectively.

Plaintiff's request to extend the discovery deadline is only in order for the parties to conduct all factual depositions (non-expert witnesses). By this motion, the Plaintiff is not requesting to extend the remaining deadlines as set forth in the Court's Order [Docket #42] granting the previous Motion for Extension of Time to Complete Discovery.

In further support of this motion, the undersigned attorney states that he has discussed the motion with counsel for the Co-Defendants and has determined that they assent to this motion.<sup>1</sup>

**WHEREFORE**, this Plaintiff moves this Court to extend the deadline for the parties to conduct all factual depositions (non-expert witnesses) until June 2, 2005 as stated above.

The Plaintiff,  
Zhanna Chizhik, Administratrix  
of the Estate of Grigory Chizhik  
By her attorneys,

/s/ David B. Kaplan  
David B. Kaplan, Essq., BBO#258540  
THE KAPLAN/BOND GROUP  
88 Black Falcon Avenue, Suite 301  
Boston, MA 02210  
(617) 261-0080

Dated: April 6, 2005

The Defendant,  
SEA HUNT BOATS, INC.

/s/ Rebecca L. Andrews (with Permission)  
William P. Breen, Esq., BBO#558768  
Rebecca L. Andrews, Esq., BBO#644846  
Murphy, Hesse, Toomey & Lehane, LLP  
Crown Colony Plaza  
300 Crown Colony Drive, Suite 410  
PO Box 9126  
Quincy, MA 02269  
(617) 479-5000

The Defendant,  
TROPICLAND MARINE and TACKLE, INC.

/s/ James T Scamby (with Permission)  
James T. Scamby, Esq., BBO#629144  
Tucker, Heifitz & Saltzman  
Three School Street  
Boston, MA 02108  
(617) 557-9696

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<sup>1</sup> On March 30, 2005, a Stipulation of Dismissal With Prejudice as to All Claims Against Gregory Zilberman **Only**, was filed with the permission of all counsel. Therefore, the assent of Zilberman's counsel is not necessary.

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

The undersigned attorney certifies that prior to filing the above motion, he conferred in good faith with all counsel to narrow the issues raised by this motion. The undersigned attorney has determined that all counsel assents to the present motion.

/s/ David B. Kaplan  
DAVID B. KAPLAN